

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

Claim 1 has been amended to make clearer that the percent is by weight. Applicants apologize for this inadvertent omission in the last amendment. Applicants respectfully request that this amendment be entered to present the claims in a better form for an appeal.

The present inventors have surprisingly found that an effervescent granule which comprises an acid source and a carbonate source together with a quantity of solid surfactant particles provides an effervescent granule with improved dispensing properties, improved structure and a rich foaming visual signal which provides a strong positive connotation in the mind of the end user. See page 3, lines 7 – 13 of the specification. In order to enhance the fizzing action and to provide a positive cue for the end user, the effervescent granules of the present invention comprise solid surfactant particles, the surfactant being sufficiently solid in its isolated state such that it is pourable. See page 6, lines 15 – 19 of the specification. The granules are substantially free of alkyl benzene sulphonate surfactants, because of their hygroscopicity. See page 7, lines 6 - 8 of the specification.

The claims stand rejected under 35 U.S.C. §103 over Spadoni in view of Tadsen. Applicants respectfully submit that Spadoni does not teach or suggest dry effervescent granules according to the present invention. Spadoni does not teach or suggest the extremely small particle size (or any particle size) of solid surfactant particles to be included into dry effervescent granules; or the substantial absence of LAS surfactant from the granules.

Applicants agree that Spadoni teaches the broad list of binders at the bottom of page 8. It is not clear how one of ordinary skill in the art would have been led by this teaching to arrive at applicants' granules which contain small particles of solid surfactant, yet are substantially free of LAS. One of ordinary skill in the art would have had to try a multitude of formulations to come up with applicants' invention. The standard of obviousness is not "obvious to try." Indeed, Spadoni specifically illustrates dry effervescent granules containing LAS surfactant, if containing any surfactant at all. Thus, neither the broad teaching within Spadoni nor the concrete examples would have suggested applicants' invention, without the benefit of hindsight afforded by the present disclosure. Tadsen teaches an extremely broad range of surfactant size about 100 to 3,500 microns preferably from 200 to 2,000, whereas in the present invention particularly small-sized particles are used (150 to 800 microns). The selection of small-sized particles allows a more uniform distribution and thus requires less binder (hence, extremely low amount of surfactant particles in the granules of the present invention).

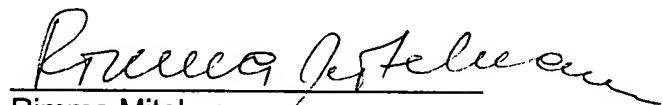
It is not seen how one of ordinary skill in the art, who has not had the benefit of hindsight afforded by the present disclosure, would have been led by the Spadoni/Tadsen combination to employ effervescent granules which are substantially free of alkyl benzene sulfonate, then pick another specific surfactant which is sufficiently solid such that it is pourable in its isolated state, then employ extremely small-sized surfactant particles in combination with relatively low surfactant levels. It is not seen what in the cited documents would have led one of ordinary skill in the art to pick these features, modify them, and then combine them in such a way as to attain applicants' effervescent granules.

In light of the above amendments and remarks, it is respectfully requested that the rejections over Spadoni in view of Tadsen be reconsidered and withdrawn. It is respectfully requested that the application be allowed to issue.

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If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Respectfully submitted,


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